

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 15. Part 19. Pp. 347—356

OPINION 453

Validation under the Plenary Powers of the generic name
Bombina Oken, 1816 (Class Amphibia, Order Anura)

LONDON :

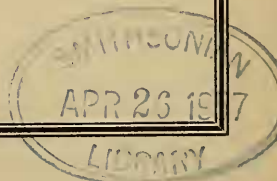
Printed by Order of the International Trust for
Zoological Nomenclature
and

Sold on behalf of the International Commission on Zoological
Nomenclature by the International Trust at its Publications Office
41, Queen's Gate, London, S.W.7
1957

Price Six Shillings and Sixpence

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Issued 8th March, 1957



INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 453

A. The Officers of the Commission

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Vice-President : Senhor Dr. Afranio do AMARAL (*Sao Paulo, Brazil*) (12th August 1953)

Secretary : Mr. Francis HEMMING (*London, England*) (27th July 1948)

B. The Members of the Commission

(arranged in order of precedence by reference to date of election or of most recent re-election as prescribed by the International Congress of Zoology)

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Mr. Francis HEMMING (*London, England*) (27th July 1948) (*Secretary*)

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Professor Tadeusz JACZEWSKI (*Institute of Zoology, Polish Academy of Sciences, Warsaw, Poland*) (15th June 1950)

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Dr. K. H. L. KEY (*Commonwealth Scientific and Industrial Research Organisation, Canberra, A.C.T., Australia*) (15th October 1954)

Dr. Alden H. MILLER (*Museum of Vertebrate Zoology, University of California, U.S.A.*) (29th October 1954)

Doc. Dr. Ferdinand PRANTL (*Národní Museum v Praze, Prague, Czechoslovakia*) (30th October 1954)

Professor Dr. Wilhelm KÜHNELT (*Zoologisches Institut der Universität, Vienna, Austria*) (6th November 1954)

Professor F. S. BODENHEIMER (*The Hebrew University, Jerusalem, Israel*) (11th November 1954)

Professor Ernest MAYR (*Museum of Comparative Zoology at Harvard College, Cambridge, Massachusetts, U.S.A.*) (4th December 1954)

Professor Enrico TORTONESE (*Museo di Storia Naturale "G. Doria", Genova, Italy*) (16th December 1954)

OPINION 453

VALIDATION UNDER THE PLENARY POWERS OF THE GENERIC NAME "BOMBINA" OKEN, 1816 (CLASS AMPHIBIA, ORDER ANURA)

RULING :—(1) Under the Plenary Powers (a) the generic name *Bombina* Oken, 1816 (Class Amphibia, Order Anura) is hereby validated and (b) the nominal species *Rana bombina* Linnaeus, 1761, is hereby designated to be the type species of the genus so named.

(2) The under-mentioned generic name is hereby placed on the *Official List of Generic Names in Zoology* with the Name No. 1064 :—

Bombina Oken, 1816, as validated under the Plenary Powers in (1)(a) above (gender : feminine) (type species, by designation under the Plenary Powers in (1)(b) above : *Rana bombina* Linnaeus, 1761).

(3) The under-mentioned specific name is hereby placed on the *Official List of Specific Names in Zoology* with the Name No. 1141 :—

bombina Linnaeus, 1761, as published in the combination *Rana bombina* (specific name of type species of *Bombina* Oken, 1816).

I. THE STATEMENT OF THE CASE

On 20th April 1953, Professor Robert Mertens addressed a preliminary communication to the Office of the Commission on the question of the need for preserving for use in its accustomed sense the generic name *Bombina* Oken, 1816 (Class Amphibia), a name published in a work (*Oken's Lehrbuch der Naturgeschichte*), the status of which for nomenclatorial purposes was at that time *sub judice*¹. After correspondence with the Office of the Commission Professor Mertens decided to submit to the International Commission on Zoological Nomenclature an application in which, in anticipation of the rejection of Oken's *Lehrbuch*, the Commission would be asked to use its Plenary Powers, if that should prove to be necessary, for the purpose of preserving the generic name *Bombina* Oken. An application in this sense was formally submitted to the International Commission by Professor Mertens on 27th October 1954. The application so submitted was as follows :—

**Proposed use of the Plenary Powers to conserve the generic name
"Bombina" Oken, 1816 (Class Amphibia, Order Anura)**

By ROBERT MERTENS

(*Forschungs-Institut und Natur-Museum Senckenberg,
Frankfurt a. Main, Germany*)

The object of the present application is to ask the International Commission to take such action as may be necessary to protect the generic name *Bombina* Oken, 1816, for the genus of frogs commonly known by that name. This proposal is based on the following grounds.

2. In 1816 (*Lehrbuch Naturgesch.* (Zool.) 2 : 207) Oken established the genus *Bombina* for a genus of frogs. This genus is now considered to contain four species, two from Europe and two from East Asia. Since 1907 these species have been referred to under this generic name in numerous works, not only of a taxonomic, but also of a general

¹ The *Lehrbuch der Naturgeschichte* of Oken was later rejected for nomenclatorial purposes by the Commission by a decision which was subsequently embodied in *Opinion 417 (Ops. Decs. int. Com. zool. Nomencl. 14 : 1—42)*.

zoological, character. These frogs are referred to also under this generic name in important comprehensive works in many languages, the name having been re-introduced into zoological literature by Leonhard Stejneger in his important work "Herpetology of Japan" published in 1907 (*Bull. U.S. nat. Mus.* 58 : 50). From the point of maintaining stability in the nomenclature of this group, it is important therefore that the name *Bombina* Oken should be preserved for use in its currently accepted sense. From the species included in this genus by Oken, Stejneger (1907 : 50) selected *Bufo igneus* Laurenti, 1768 (*Syn. Rept.* : 29, 129), a junior synonym of *Rana bombina* Linnaeus, 1761 (*Faun. svec.* (ed. 2) : 101).

3. Recently there has, however, been a tendency to reject generic names published by Oken in his *Lehrbuch* and at the present time the status of that work is under examination in accordance with a request addressed to the Secretary to the International Commission by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* 4 : 365—366). I agree with the conclusion reached by Mr. Hemming in his Report on this subject (1954, *Bull. zool. Nomencl.* 9 : 193—201) that Oken did not apply the principles of binominal nomenclature in his *Lehrbuch der Naturgeschichte*². It is important therefore that the Commission should now protect the well-known generic name *Bombina* Oken.

4. The genus *Bombina* Oken, 1816, is not the type genus of a taxon belonging to the family-group and accordingly no question arises of placing any such name on the *Official List of Family-Group Names in Zoology*.

5. In the interests of stability in zoological nomenclature, I ask the International Commission :—

- (1) to preserve the generic name *Bombina* Oken, 1816, with *Rana bombina* Linnaeus, 1761, as type species, using for this purpose its Plenary Powers, if that course is found to be necessary in the light of the decision to be taken by it when the Commission comes to consider the Secretary's Report on the status of Oken's *Lehrbuch* ;
- (2) to place the under-mentioned generic name on the *Official List of Generic Names in Zoology* :—*Bombina* Oken, 1816 (gender : feminine) as conserved under (1) above (type species, by designation under (1) above : *Rana bombina* Linnaeus, 1761) ;

² This work was later rejected by the International Commission. See Footnote 1.

- (3) to place the under-mentioned specific name on the *Official List of Specific Names in Zoology* :—*bombina* Linnaeus, 1761, as published in the combination *Rana bombina* (specific name of type species of *Bombina* Oken, 1816).

II. THE SUBSEQUENT HISTORY OF THE CASE

2. Registration of the present application : Upon the receipt of Professor Mertens' preliminary enquiry the question of preserving the generic name *Bombina* Oken, 1816, was allotted the Registered No. Z.N.(S.) 759.

3. Publication of the present application : The present application was sent to the printer on 19th January 1955 and was published on 28th February in the same year in Part 4 of Volume 11 of the *Bulletin of Zoological Nomenclature* (Mertens, 1955, *Bull. zool. Nomencl.* **11** : 132—133).

4. Issue of Public Notices : Under the revised procedure prescribed by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* **4** : 51—56), Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers was given on 28th February 1955 (a) in Part 4 of Volume 11 of the *Bulletin of Zoological Nomenclature* (the Part in which Professor Mertens' application was published) and (b) to the other prescribed serial publications. In addition such Notice was given also to four general zoological serial publications and to one specialist serial.

5. Support received from Hobart M. Smith (Department of Zoology, University of Illinois, Urbana, Illinois, U.S.A.) : On

13th June 1955, Professor Hobart M. Smith (*Department of Zoology, University of Illinois, Urbana, Illinois, U.S.A.*) addressed the following letter to the Office of the Commission in support of the present case :—

I heartily concur with the proposal by Mertens (*Bull. zool. Nomencl.* 11 : 132—133) that *Bombina* Oken and *bombina* Linnaeus be preserved, as prescribed in the cited article.

6. No objection received : No objection to the action proposed in the present case was received from any source.

7. Note prepared by the Secretary in November 1955 on the relationship of the present application to the application submitted to the International Commission on the subject of the status of Oken's "Lehrbuch", the work in which the name "Bombina" was originally published : On 5th November 1955, Mr. Hemming, as Secretary, prepared the following note on the relationship at that date of the present application to the application submitted to the International Commission on the subject of the status of Oken's *Lehrbuch*, the work in which the name *Bombina* was originally published, for insertion in the Notes to be annexed to the Voting Paper to be issued in the present case in order to recall that, if the present application was to be granted, the use of the Plenary Powers would be required :—

At the time of the submission of the present application no Ruling had been given on the status of names in Oken's *Lehrbuch* and in consequence it was not certain whether, in order to preserve the name *Bombina* Oken, it would be necessary for the Commission to use its Plenary Powers. To protect the position in the event of the rejection of the *Lehrbuch*, Public Notice of the possible use of the Plenary Powers in the present case was given in the prescribed manner. Such Notice was given also to four general zoological serial publications and to one specialist serial. (The *Lehrbuch* has since been rejected by the Commission by its Vote on Voting Paper V.P.(54)91³, and the

³ By the decision taken on the foregoing Voting Paper Oken's *Lehrbuch* was rejected for nomenclatorial purposes. See Footnote 1.

use of the Plenary Powers will therefore be needed if the present application is to be granted.)

III. THE DECISION TAKEN BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

8. Issue of Voting Paper V.P.(55)36 : On 22nd November 1955, a Voting Paper (V.P.(55)36) was issued in which the Members of the Commission were invited to vote either for, or against, "the proposal relating to the generic name *Bombina* Oken, 1816, as set out in Points (1) to (3) on page 133 of Volume 11 of the *Bulletin of Zoological Nomenclature*" [i.e. in the paragraph numbered as above in the paper reproduced in the first paragraph of the present *Opinion*].

9. The Prescribed Voting Period : As the foregoing Voting Paper was issued under the Three-Month Rule, the Prescribed Voting Period closed on 22nd February 1956.

10. Particulars of the Voting on Voting Paper V.P.(55)36 : At the close of the Prescribed Voting Period, the state of the voting on Voting Paper V.P.(55)36 was as follows :—

(a) *Affirmative Votes had been given by the following twenty-three (23) Commissioners (arranged in the order in which Votes were received) :*

Holthuis ; Hering ; Riley ; Vokes ; Mayr ; Jaczewski ; Lemche ; Prantl ; Dymond ; Esaki ; Bodenheimer ; Mertens ; do Amaral ; Hankó ; Boschma ; Sylvester-Bradley ; Key ; Bonnet ; Miller ; Tortonese ; Bradley (J.C.) ; Stoll ; Hemming ;

(b) *Negative Votes, two (2) :*

Cabrera ; Kühnelt.

(c) *Voting Papers not returned :*

None.

11. Declaration of Result of Vote : On 23rd February 1956, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(55)36, signed a Certificate that the Votes cast were as set out in paragraph 10 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

12. Preparation of the Ruling given in the present " Opinion " : On 21st November 1956, Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(55)36.

13. Original References : The following are the original references for the names placed on *Official Lists* by the Ruling given in the present *Opinion* :—

Bombina Oken, 1816, *Lehrbuch Naturgesch.* (Zool.) 2 : 207

bombina, *Rana*, Linnaeus, 1761, *Faun. svec.* (ed. 2) : 101

14. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission

by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

15. The present *Opinion* shall be known as *Opinion* Four Hundred and Fifty-Three (453) of the International Commission on Zoological Nomenclature.

DONE in London, this Twenty-First day of November, Nineteen Hundred and Fifty-Six.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING